

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

JUN 13 2019

Clerk, U.S. Courts
District Of Montana
Missoula Division

CANDI LEE LILES,

Plaintiff,

vs.

ERIC M. ENZ, KEELEE M. ENZ, and
LYN C. REHM,

Defendants.

CV 19-71-M-DLC-JCL

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered his Findings and Recommendations on April 26, 2019, recommending that this matter be dismissed for lack of jurisdiction. (Doc. 4 at 4.) Plaintiff did not object to the Findings and Recommendations and so has waived the right to de novo review thereof. 28 U.S.C. § 636(b)(1)(C). Absent objection, this Court reviews findings and recommendations for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted). This Court finds no clear error in Judge Lynch’s determination

that although Plaintiff asserts diversity jurisdiction, she has failed to establish such jurisdiction.

While Plaintiff did not object, Plaintiff has filed numerous items with the Court since the filing of Judge Lynch's Findings and Recommendations. She has filed an Amended Complaint (Doc. 5), a letter to the Clerk of Court (Doc. 6), and three separate notices (Docs. 7, 8, 9). Because Plaintiff has filed an Amended Complaint, the Court will treat the Amended Complaint as the operative pleading in this case. Nonetheless, Plaintiff's Amended Complaint also fails to set forth the specific allegations that would invoke this Court's diversity jurisdiction. All of Plaintiff's filings are characteristically grandiose and incoherent. Moreover, each fails to meaningfully address the fatal deficiency identified by Judge Lynch—diversity jurisdiction does not exist in this case. Accordingly,

IT IS ORDERED that Judge Lynch's Findings and Recommendations (Doc. 4) are ADOPTED IN PART AND MODIFIED IN PART. Plaintiff's Amended Complaint is dismissed for lack of jurisdiction.

IT IS FURTHER ORDERED that the Clerk of Court is directed to close this case.

DATED this 13th day of June, 2019.



Dana L. Christensen, Chief Judge
United States District Court